

REMARKS

Cancellation of Claims

In order to advance the prosecution of this application, Applicants are canceling Claims 4-23 and 30 without prejudice or disclaimer.

Applicants have the following response to the rejections in the Office Action.

Rejections In Final Rejection

In the Office Action, the Examiner has the following rejections under 35 USC §103:

1. Claims 1-3, 6-7 and 22-23 are rejected as being unpatentable over Kimura et al. (U.S. 2002/0075422) in view of Kawase (GB 2,360,489) and McCormick (U.S. 6,593,690).
2. Claims 1-3, 6-7 and 22-23 are rejected as being unpatentable over Kimura in view of Kawase and Arai (JP 06-182980).
3. Claims 10-11 and 22-23 are rejected as being unpatentable over Kimura in view of Kawase and McCormick and further in view of Miyashita et al. (U.S. 2002/0155215).
4. Claims 10-11 and 22-23 are rejected as being unpatentable over Kimura in view of Kawase and Arai and further in view of Miyahashi.
5. Claims 16-17 and 22-23 are rejected as being unpatentable over Kimura in view of Kawase and McCormick and further in view of Yamazaki (U.S. 2002/0164416).
6. Claims 16-17 and 22-23 are rejected as being unpatentable over Kimura in view of Kawase and Arai and further in view of Yamazaki.
7. Claims 14-15 are rejected as being unpatentable over Kimura in view of Kawase, McCormick and Miyashita and further in view of Konuma et al. (US 2002/0030443).
8. Claims 14-15 are rejected as being unpatentable over Kimura in view of Kawase and Arai and Miyashita and further in view of Konuma.
9. Claims 20-21 are rejected as being unpatentable over Kimura in view of Kawase, McCormick and Yamazaki and further in view of Konuma.
10. Claims 20-21 are rejected as being unpatentable over Kimura in view of Kawase and

Arai and Yamazaki and further in view of Konuma.

11. Claim 30 is rejected as being unpatentable over Kimura in view of Kawase and McCormick and further in view of Mori (U.S. 2002/0187265).
12. Claim 30 is rejected as being unpatentable over Kimura in view of Kawase and Arai and further in view of Mori.

Each of these rejections is respectfully traversed.

Rejection Nos. 1, 3, 5, 7, 9 and 11

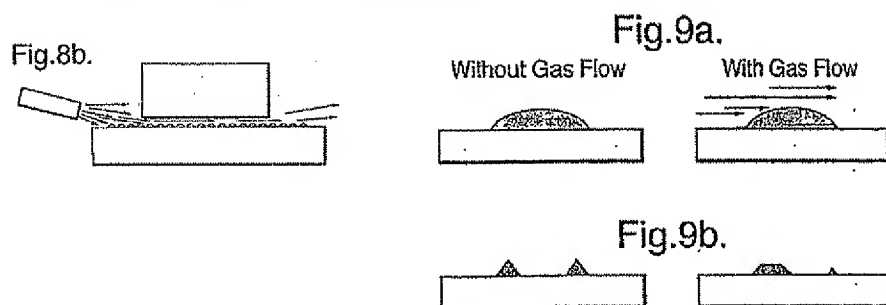
More specifically, in each of these rejections above, the claims are rejected over Kimura in view of Kawase and McCormick (and additional tertiary references in some of the rejections).

The following is Applicants' summary of the above rejections.

-In the rejections, the Examiner contends that Kimura teaches a method of making an EL display device, and that in the embodiment of Fig. 8, an EL solution 114A is ejected towards the pixel electrode 141, wherein the pixel electrode is turned to face downward [0170]. The Examiner admits that Kimura "does not explicitly teach ejecting under a pressure lower than atmosphere pressure."

-The Examiner then cites Kawase and contends that Kawase teaches that a flow of gas which is supplied to the deposited inkjet deposition can increase the drying speed of it, but does not explicitly teach the use of a vacuum.

[FIG. 8b and 9a-9b of Kawase]



-The Examiner then cites McCormick and contends that McCormick teaches “applying a vacuum is an operable equivalent of applying heat in the method of increasing drying speed (col. 6, lines 47-51). The teachings of McCormick would have presented a recognition of equivalency in the prior art and would have presented strong evidence of obviousness in substituting one method for the other in a process of evaporating a solvent. The substitution of equivalents requires no express suggestion.”

Applicants respectfully disagree.

While Applicants traverse these rejections, in order to advance the prosecution of this application, Applicants are amending independent Claims 1-3 to recite the features of “ejecting a first solution containing a carrier injection material or a carrier transporting material from a below toward an anode or a cathode facing downward under a pressure lower than atmosphere pressure;

forming a first thin film by depositing the carrier injection material or the carrier transporting material on the anode or the cathode;

ejecting a second solution containing a luminescent material from the below toward the anode or the cathode facing downward under a pressure lower than atmosphere pressure; and

forming a second thin film by depositing the luminescent material on the first thin film.”

These features are supported by, for example, paragraphs [0017] and [0111] of the published application (US 2005/0101064) of the present application. These features are not disclosed or suggested by the cited references.

Further, Applicants have discovered that with the claimed elements, a structure of a light-emitting device wherein the claimed first and second thin films are laminated can be achieved. The first and second thin films are respectively formed by ejecting the first and second solutions under a

pressure lower than atmosphere pressure. If these steps are not conducted under the pressure lower than atmosphere pressure, the solvents in the first and second solutions are mixed when they are laminated, and then the desired property of a light-emitting device cannot be obtained. These steps, the effect, and the concept are not disclosed, suggested, or taught in the cited references.

Therefore, independent Claims 1-3 are not disclosed or suggested by the cited references, and Claims 1-3 and those claims dependent thereon are patentable over the cited references.

Accordingly, it is respectfully requested that these rejections be withdrawn.

Rejection Nos. 2, 4, 6, 8, 10 and 12

In each of these rejections, the Examiner rejects the claims over Kimura, Kiwase and Arai (and additional tertiary references in some of the rejections). These rejections are also respectfully traversed.

While Applicants traverse these rejections, as explained above, in order to advance the prosecution of this application, Applicants are amending independent Claims 1-3. Therefore, for similar reasons as explained above, independent Claims 1-3 are not disclosed or suggested by the cited references, and Claims 1-3 and those claims dependent thereon are patentable over the cited references.

Accordingly, it is respectfully requested that these rejections be withdrawn.

New Claims

Applicants are adding new dependent Claims 31-39. New Claims 34-39 are supported by, for example, paragraph [0111] of the published application (US 2005/0101064) of the present

application. Claims 31-33 are based on features recited in some of the canceled dependent claims (which were in multiple dependent form).

As these are dependent claims, they are allowable for at least the reasons discussed above for the independent claims.

Accordingly, it is respectfully requested that these new claims be entered and allowed.

If any fee should be due for these new claims, please charge our deposit account 50/1039.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee should be due for this amendment, and/or the new claims, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Date: September 25, 2009

Respectfully submitted,

/Mark J. Murphy/

Mark J. Murphy

Registration No. 34,225

COOK ALEX Ltd.
200 West Adams Street, Suite 2850
Chicago, Illinois 60606
(312) 236-8500

Customer No. 26568